

REQUEST FOR COUNCIL ACTION

MEETING

DATE: 1-5-04

205

AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. E-10
ITEM DESCRIPTION: <u>Restricted Development Conditional Use Permit #03-61 and Substantial Land Alteration</u> , by Larry Brown and L.B. Electric. The applicant is proposing to develop approximately 3 acres of land with a Trade Shop use. Additionally, the applicant is requesting approval for a Substantial Land Alteration permit to modify the grades by 10 feet or more near the southern portion of the site. The property is located along the south side of TH 14, east of 40 th Ave. SE.		PREPARED BY: Mitzi A. Baker, Senior Planner

December 30, 2003

NOTE: See CPZC minutes from previous ZC hearing.

Waiver of Final Plan: The applicant requests that the City Council waive the Final Plan phase for this application, in accordance with Section 60.532, 6 of the Rochester Zoning Ordinance and Land Development Manual.

City Planning and Zoning Commission Recommendation:

The City Planning and Zoning Commission held a public hearing on December 14, 2003, to consider this petition.

The Planning Commission recommends approval of Restricted Development #03-61, with staff findings & conditions. The motion carried 7-0. The Commission recommended the following conditions:

1. Site Appearance Standards for a Trade Shop in the B-1 zoning district shall be used to determine zoning compliance except for the following:

- a. A Bufferyard Indicator of VII shall be used when screening the proposed use from the adjacent properties.
- b. Allow wall signage to have internal lighting.
- c. Only allow wall signage on the north wall of the building.

2. No exterior storage of materials and equipment.

3. Any future change of use or expansion of the proposed use will require review through the Type II process.

4. Project must comply with referral requirements of Rochester Public Works, dated November 26, 2003, and Rochester Fire Department, dated November 26, 2003.

5. The location of the future garage, as identified on the site plan, must be located outside all utility easements and required bufferyards.

6. The grading and drainage plans and erosion and sedimentation control plans must be approved by the City prior to commencement of grading activities on this property.

7. The applicant must provide surety that guarantees that the site will be fully restored, after completion of the excavation activity, to a safe condition, and one that permits reuse of the site in a manner compatible with the Comprehensive plan, neighborhood plans, and Land use Plan and applicable City policies. Said surety must be provided prior to commencement of grading activities on this property.

COUNCIL ACTION:		
Motion By:	Seconded By:	Action:

Waiver of Final Plan: Staff recommends approval to waive the final plan phase for this development, as requested by the applicant. Plans submitted are sufficient in nature; waiver would not interfere with the purpose and intent of the Ordinance so long as the applicant agrees to the conditions specified in this RCA (the applicant did agree to the conditions at the Planning Commission meeting).

Council Action Needed:

*The Council should direct the City Attorney to prepare findings of fact reflecting the Council's decision on **Restricted Development** permit AND **Substantial Land Alteration**.*

*If the Council wishes to **waive the Final Review** phase for this development, the motion shall include waiver of the **Final Plan**, in accordance with **Section 60.532 of the LDM**.*

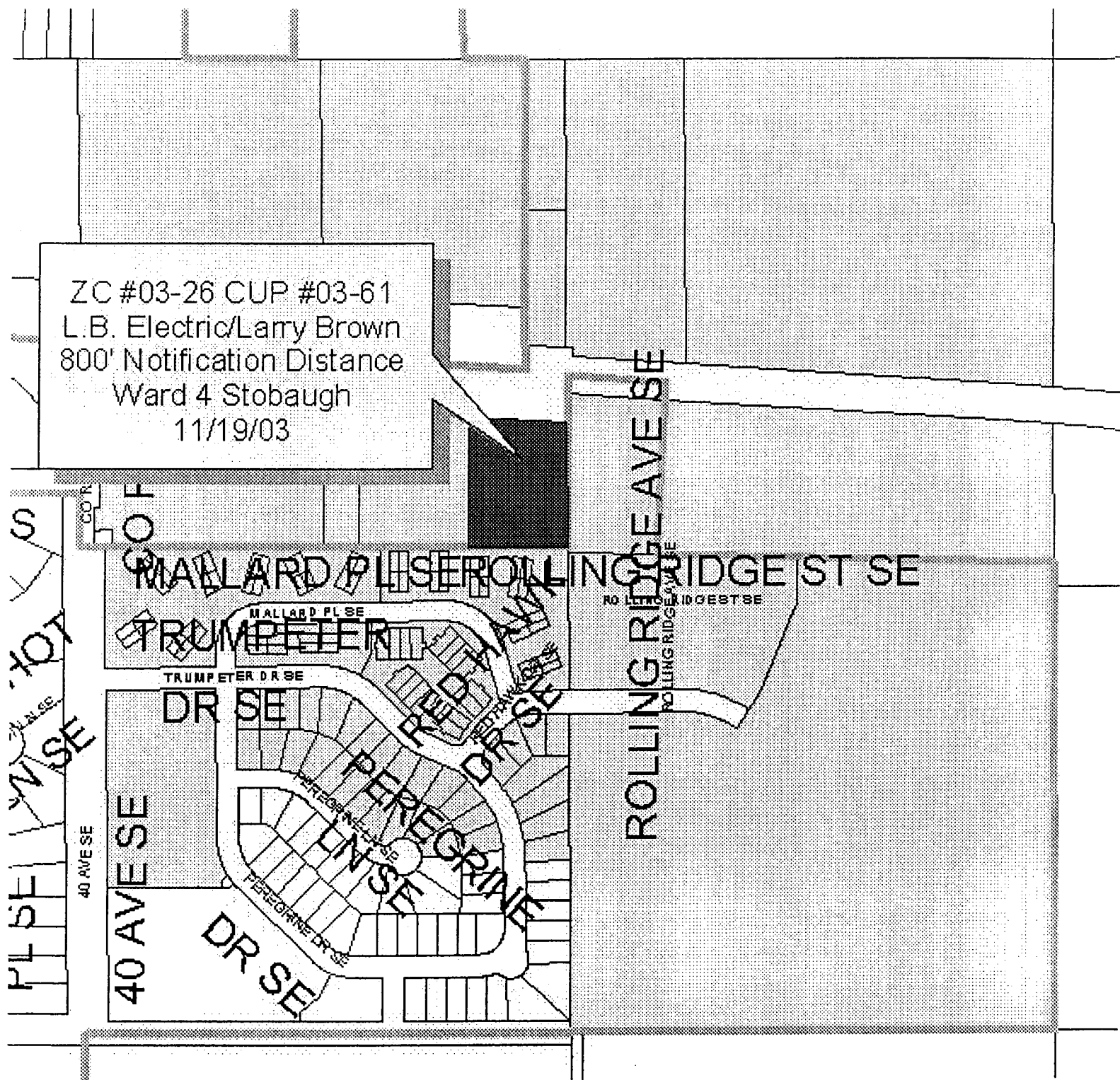
Planning Staff Recommendation:

See attached staff report.

Distribution:

1. City Administrator
2. City Attorney: Legal Description attached
3. Planning Department File
4. Yaggy Colby Associates.
5. Applicant: This item will be considered sometime after 7:00 p.m. on Monday January 5, 2004, in the Council/Board Chambers at the Government Center, 151 4th Street SE.

ZC #03-26 CUP #03-61
L.B. Electric/Larry Brown
800' Notification Distance
Ward 4 Stobaugh
11/19/03



268

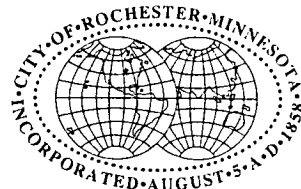


COUNTY OF
Olmsted

ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

www.olmstedcounty.com/planning



TO: City Planning & Zoning Commission

FROM: Randy Klement, Planner *R.K.*

DATE: December 3, 2003

RE: Restricted Development Conditional Use Permit #03-61 by Larry Brown d.b.a. L.B. Electric to construct a commercial building for a Trade Shop Use in the R-1 Mixed Single Family Zoning District.

Planning Department Review

Applicant: Larry Brown
D.B.A L.B. Electric
6556 NE 70th Avenue
Rochester, MN 55906

Property Location: The property is located on the south side of TH 14 East; North of Valley Side Subdivision and East of 40th Avenue SE and

Zoning: The property is zoned R-1 (Mixed Single Family Residential) on City of Rochester Zoning map.

Adjacent Zoning: This property abuts land on the west and east that is outside of the city limits and designated as Low Density Residential; abuts land on the south zoned R-2 (Low Density Residential) and abuts Hwy 14 East to the north.

Summary of Proposal: The applicant is proposing to construct a 4,955 square foot commercial building that will be used as an Electrical Trade Shop.

Referral Agency Comments: Attached

Attachments: Location Map
Site Map



26A

EXPLANATION OF APPLICATION AND REVIEW PROCEDURE:

The applicant is proposing to construct a 4,955 square foot commercial building that will be used as an Electrical Trade Shop. The height of the proposed building will be approximately 19 feet. The floor plan indicates that the building will be used mainly for offices and warehouse, with no retail sales or display area.

The Restricted Development allows certain mixtures of land uses which are not allowed within a given zoning district on a permitted or conditional basis which can, if regulated, serve both the public interest and allow a more equitable balancing of private interests than that achieved by strict adherence to standard zoning regulations. The regulations of this article recognize and provide encouragement for innovation and experimentation in the development of land that would otherwise not be possible under the zoning district regulations established by this ordinance.

STAFF COMMENTS: The site summary on the site plan submitted by the applicant applies the Standards for a Trade Shop in the B-4 Zoning District to determine zoning compliance. Staff recommends that Standards for a Trade Shop in the B-1 Zoning Districts be used to determine zoning compliance. Listed below are the Standards for both zoning districts.

- 1) **Height:** The maximum height in the B-4 zoning district is 40 feet.
The maximum height in the B-1 zoning district is 30 feet.
- 2) **Setbacks:** Same for both zoning districts.
- 3) **Landscape Area:** B-4 zoning district requires 10% landscape area.
B-1 zoning district requires 12% landscape area.
- 4) **Floor Area Ratio:** Same for both zoning districts
- 5) **Hours of Operation:** B-4 zoning district has no restrictions.
B-1 zoning district is 6:00am-10pm.
- 6) **Exterior Lighting Standard:** Standard D applies in the B-4 zoning district.
Standard B applies in the B-1 zoning district.
(copy of Standards attached)
- 7) **Exterior Sign Regulations:** Standard C applies in the B-4 zoning district.
Standard B applies in the B-1 zoning district, with additional area allowed if the use has frontage along a higher order roadway.
(copy of Standards attached)
- 8) **Exterior Storage Regulations:** Standards T, S (50%) applies in the B-4 district.
Standards T, A applies in the B-1 district.
(copy of Regulations attached)
- 9) **Bufferyard Indicator:** Bufferyard Indicator of VII in the B-4 zoning district.
Bufferyard Indicator of VI in the B-1 zoning district.

CRITERIA & ANALYSIS:

Sections 62.706 and 62.708 (1) of the Zoning Ordinance set forth the standards upon which a Restricted Development Preliminary Plan is to be evaluated. The Council shall approve a preliminary plan if it finds that the development has addressed and satisfied all of the applicable criteria, or that a practical solution consistent with the public interest can be incorporated into the final plan. Please see the attached excerpt from the Rochester Zoning Ordinance and Land Development Manual for the applicable criteria.

The staff suggests the following findings for each of the 11 criteria on which the Preliminary Development Plan is to be evaluated:

- a) **Capacity of Public Facilities:** *City sewer and water, and other utilities will serve the site.*
- b) **Geologic Hazards:** *There are no known geologic hazards on the property.*
- c) **Natural Features:** *There are no known unique natural features at the site.*
- d) **Residential Traffic Report:** *Access to the site will be from TH 14 East.*
- e) **Traffic Generation Impact:** *The anticipated traffic will not substantially increase the capacity of the adjacent roadways.*
- f) **Height Impacts:** *This development should not impact the adjacent properties. The height of the proposed building will be approximately 19 feet and will be screened along the east, west and south sides.*
- g) **Setbacks:** *The proposed building will meet all setback requirements. However, the location of future garage identified on the site would encroach into the 30-foot bufferyard along the south side of the property. No structure is allowed to encroach into a bufferyard. The location of the future garage will need to be located outside of all required bufferyards and easements.*
- h) **Internal Site Design:** *A 25-foot wide bituminous driveway will provide access to the building and bituminous parking lot. Drive aisle and parking space dimensions comply with the requirements of the zoning ordinance..*
- i) **Screening and Buffering:** *Buffering is required along the east, west and south property lines. Staff recommends that the proposed Trade Shop use a Bufferyard Indicator VII for screening of the adjacent properties.*
- j) **Ordinance Requirements:** *The proposed development includes adequate number of off-street parking spaces.*

- k) **General Compatibility:** *The proposed use of the site does not significantly change the appearance of the property. The character of the surrounding neighborhood should not be affected by this proposed use.*

Substantial Land Alteration:

This application includes a request for approval of land disturbing activities defined as Substantial Land Alteration according to Section 61.1101, 2, a) of the Rochester Zoning Ordinance and Land Development Manual (LDM). Section 61.1102 of the LDM allows the City to consider a request for excavation or substantial land alteration as part of a Type III application, such as a final plat, subject to making findings established in Section 62.1105 and 61.146 of the LDM.

Staff Suggested Findings for Substantial Land Alteration:

Regarding findings for Section 62.1105, staff suggests the findings as written can be made, with the exception of #13 and #14. Staff suggest the following findings for those two items:

#13) The grading and drainage plans and erosion and sedimentation control plans must be approved by the City prior to commencement of grading activities on this property.

#14) The applicant must provide surety that guarantees that the site will be fully restored, after completion of the excavation activity, to a safe condition, and one that permits reuse of the site in a manner compatible with the Comprehensive plan, neighborhood plans, and Land use Plan and applicable City policies. Said surety must be provided prior to commencement of grading activities on this property.

The Planning Staff would suggest the following findings for Section 61.146:

- 1) *Not applicable.*
- 2) *Not applicable.*
- 3) *Not applicable.*
- 4) *The Rochester Public Works Department will need to review and approve the grading and drainage plan for this work. This plan must accommodate permanent and interim erosion and sediment control.*
- 5) *Not applicable.*
- 6) *Not applicable.*
- 7) *Not applicable.*
- 8) *Not applicable.*

STAFF RECOMMENDATION:

Staff has reviewed this request in accordance with the applicable standards and provisions, as included in this report. Based upon staff review and the analysis included above, staff recommends approval of this application subject to the following conditions:

1. ***Site Appearance Standards for a Trade Shop in the B-1 zoning district shall be used to determine zoning compliance except for the following:***
 - a. ***A Bufferyard Indicator of VII shall be used when screening the proposed use from the adjacent properties.***
 - b. ***Allow wall signage to have internal lighting.***

- c. Only allow wall signage on the north wall of the building.*
- 2. No exterior storage of materials and equipment.*
 - 3. Any future change of use or expansion of the proposed use will require review through the Type II process.*
 - 4. Project must comply with referral requirements of Rochester Public Works, dated November 26, 2003, and Rochester Fire Department, dated November 26, 2003.*
 - 5. The location of the future garage, as identified on the site plan, must be located outside all utility easements and required bufferyards.*
 - 6. The grading and drainage plans and erosion and sedimentation control plans must be approved by the City prior to commencement of grading activities on this property.*
 - 7. The applicant must provide surety that guarantees that the site will be fully restored, after completion of the excavation activity, to a safe condition, and one that permits reuse of the site in a manner compatible with the Comprehensive plan, neighborhood plans, and Land use Plan and applicable City policies. Said surety must be provided prior to commencement of grading activities on this property.*

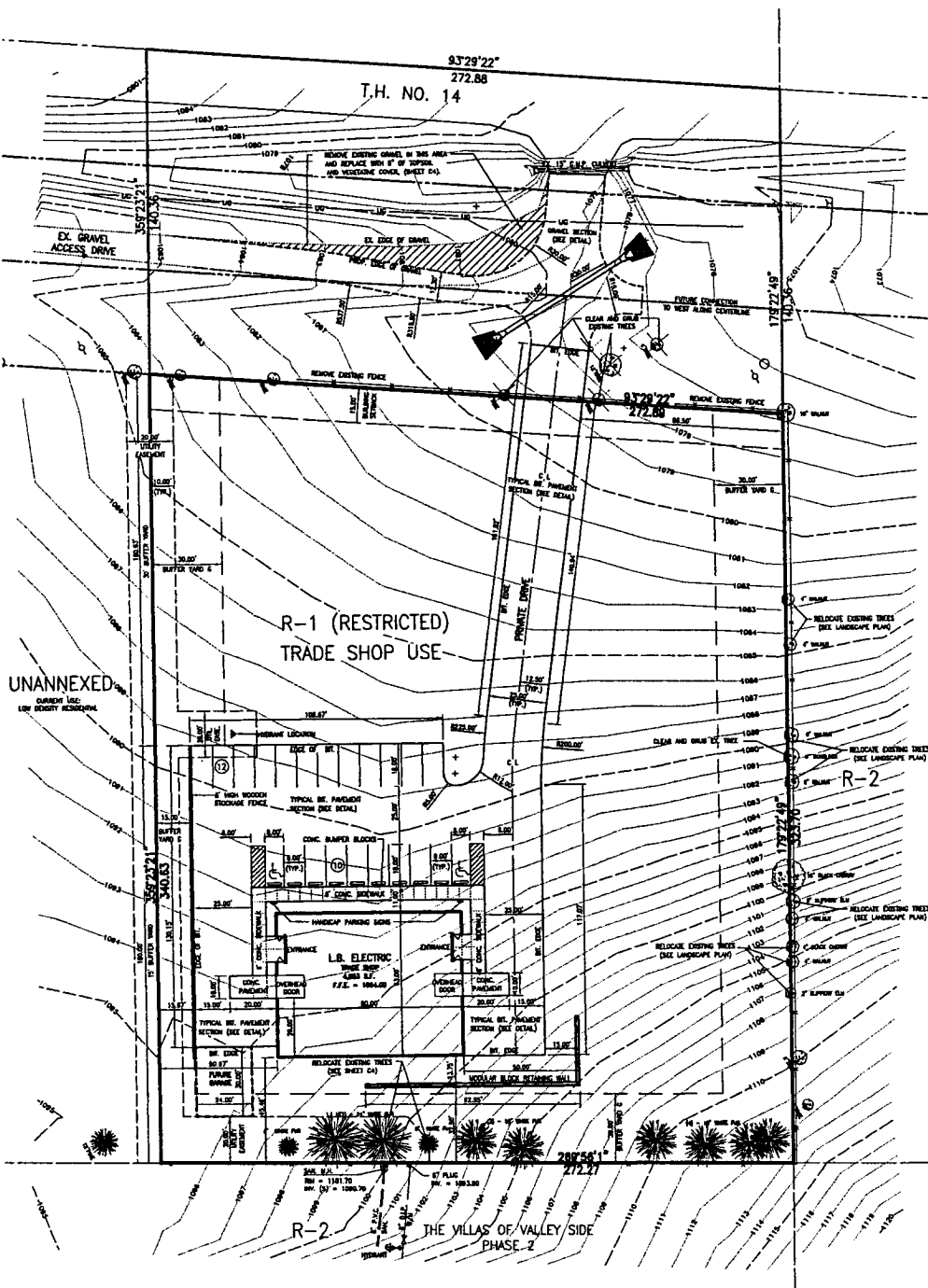
Section 60.532, 6 of the LDM allows the City Council to waive subsequent review phases in a multi-phase review process if requested by the applicant, and upon making findings consistent with that Section of the Ordinance.

The applicant has requested that the City Council waive the requirement for the Final Plan review for this project to expedite construction of the project.

Excerpt from the Rochester Zoning Ordinance & Land Development Manual

- 62.706 **Standards for Approval, Preliminary Development Plan:** The Council shall approve a preliminary development plan if it finds that the development has addressed and satisfied all the criteria listed in Paragraph 62.708(1), or that a practical solution consistent with the public interest can be incorporated into the final development plan, or a modification for unmet criteria has been granted as provided for in Paragraph 62.712.
- 62.708 **Criteria for Type III Developments:** In determining whether to approve, deny, or approve with conditions an application, the Commission and Council shall be guided by the following criteria:
- 1) **Preliminary Development Plan Criteria:**
 - a) **Capacity of Public Facilities:** The existing or future planned utilities in the area are adequate to serve the proposed development.
 - b) **Geologic Hazards:** The existence of areas of natural or geologic hazard, such as unstable slopes, sinkholes, floodplain, etc., have been identified and the development of these areas has been taken into account or will be addressed in the Phase II plans.
 - c) **Natural Features:** For developments involving new construction, the arrangement of buildings, paved areas and open space has, to the extent practical, utilized the existing topography and existing desirable vegetation of the site.
 - d) **Residential Traffic Impact:** When located in a residential area, the proposed development:
 - 1) Will not cause traffic volumes to exceed planned capacities on local residential streets;
 - 2) Will not generate frequent truck traffic on local residential streets;
 - 3) Will not create additional traffic during evening and nighttime hours on local residential streets;
 - e) **Traffic Generation Impact:** Anticipated traffic generated by the development will not cause the capacity of adjacent streets to be exceeded, and conceptual improvements to reduce the impact of access points on the traffic flow of adjacent streets have been identified where needed.
 - f) **Height Impacts:** For developments involving new construction, the heights and placement of proposed structures are compatible with the surrounding development. Factors to consider include:

- 1) Will the structure block sunlight from reaching adjacent properties during a majority of the day for over four (4) months out of the year;
 - 2) Will siting of the structure substantially block vistas from the primary exposures of adjacent residential dwellings created due to differences in elevation.
- g) **Setbacks:** For developments involving new construction, proposed setbacks are related to building height and bulk in a manner consistent with that required for permitted uses in the underlying zoning district.
 - h) **Internal Site Design:** For developments involving new construction, the preliminary site layout indicates adequate building separation and desirable orientation of the buildings to open spaces, street frontages or other focal points.
 - i) **Screening and Buffering:** The conceptual screening and bufferyards proposed are adequate to protect the privacy of residents in the development or surrounding residential areas from the impact of interior traffic circulation and parking areas, utility areas such as refuse storage, noise or glare exceeding permissible standards, potential safety hazards, unwanted pedestrian/bicycle access, or to subdue differences in architecture and bulk between adjacent land uses.
 - j) **Ordinance Requirements:** The proposed development includes adequate amounts of off-street parking and loading areas and, in the case of new construction, there is adequate landscaped area to meet ordinance requirements.
 - k) **General Compatibility:** The relationship of the actual appearance, general density and overall site design of the proposed development should be compared to the established pattern of zoning, the character of the surrounding neighborhood and the existing land forms of the area to determine the general compatibility of the development with its surroundings.



LEGAL DESCRIPTION

ALL THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION FOUR IN TOWNSHIP 13N RANGE 12 WEST AS PER CERTIFICATE OF SURVEY DRAWN FROM DEED ON FILE AT THE COUNTY RECORDERS OFFICE IN OLUSTEAD COUNTY, MINNESOTA

OWNER

L.B. ELECTRIC
6556 70TH AVENUE NE
ROCHESTER, MN 55908
CONTACT: LARRY BROWN (507)282-5924

SITE SUMMARY

TOTAL BUILDING AREA:	4,955 S.F.
IMPERVIOUS SURFACE AREA:	24,075 S.F.
GREENSPACE AREA:	66,350 S.F.
TOTAL SITE AREA:	90,425 S.F.
TOTAL SITE ACREAGE:	2.08 ACRES
BUILDING COVERAGE: 27%	GREENSPACE: 19%
FLUSH AREA: 10,000 S.F.	17,000 TOTAL C.F.A. = 0.37 F.A.R.
8-4 MAXIMUM F.A.R. = 0.50	

PARKING CALCULATIONS (SEE TRADE SHOP)

1 PER EMPLOYEE ON LARGEST SHOP 17 AND 1000 S.F. CUSTOMER SALES
14 EMPLOYEES LARGEST SHOP
TOTAL PARKING STALLS REQUIRED = 14
PARKING STALLS PROVIDED = 22

HANDICAP SPACES = 2

ZONING CLASSIFICATION: R-1 RESTRICTED, (B-4 APPLIED)

EXTERIOR LIGHTING REGULATION STANDARD: D

SIGN REGULATION STANDARD: C

EXTERIOR STORAGE REGULATION STANDARD: T.V. 50%

BUFFER YARD INDICATOR: V.H.

SETBACK REQUIREMENTS:

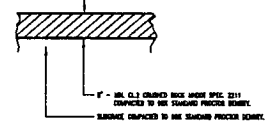
REQUIRED FRONT YARD: 15 FEET

MIN. REQUIRED SIDE YARD: 0 FEET

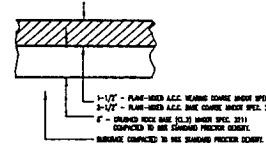
MIN. SUM OF SIDE YARDS: 0 FEET

MIN. REAR YARD: 0 FEET

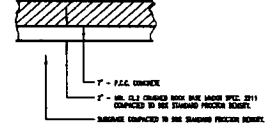
TYPICAL GRAVEL SECTION



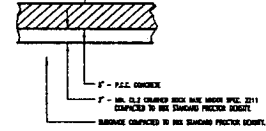
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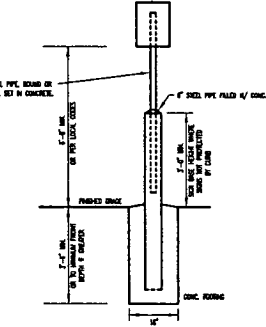
TYPICAL CONC. PAVEMENT SECTION



TYPICAL SIDEWALK SECTION

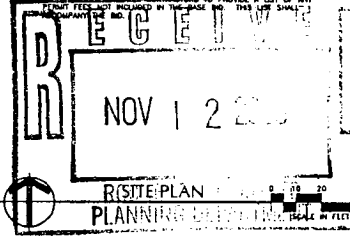


HANDICAP SIGNAGE DETAIL



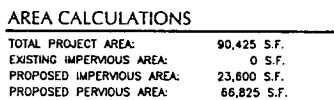
GENERAL NOTES

1. ALL WORK SHALL CONFORM TO AND BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE CODES AND ORDINANCES.
2. THE SPECIFICATIONS AS PREPARED BY YAGGY COLBY ASSOCIATES SHALL BE CONSIDERED A PART OF THESE DOCUMENTS AS IF BOUND HEREIN.
3. THE CONTRACTOR SHALL NOTIFY ALL APPROPRIATE ENGINEERING DEPARTMENTS AND UTILITY COMPANIES 72 HOURS PRIOR TO CONSTRUCTION. ALL NECESSARY PRECAUTIONS SHALL BE TAKEN TO AVOID DAMAGE TO ANY EXISTING UTILITY.
4. THE LOCATION OF EXISTING UNDERGROUND UTILITIES AND ROCK ELEVATIONS ARE SHOWN IN AN APPROXIMATE MANNER ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS RESPECTIVE REPRESENTATIVE. THE CONTRACTOR SHALL OBTAIN THE EXACT LOCATION OF ALL EXISTING UTILITIES AND ROCK ELEVATIONS BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PROTECT ANY AND ALL UNDERGROUND UTILITIES AND ROCK ELEVATIONS.
5. THE CONTRACTOR SHALL VISIT THE SITE AND INSPECT THE PROJECT AREA AND THOROUGHLY FAMILIARIZE HIMSELF WITH THE ACTUAL JOB CONDITIONS PRIOR TO BEGINS AND THE START OF ANY WORK. FAILURE TO VISIT THE SITE SHALL NOT RELIEVE THE CONTRACTOR FROM PERFORMING THE WORK IN ACCORDANCE WITH THESE DRAWINGS.
6. THE CONTRACTOR SHALL VERIFY AT THE SITE ALL DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS, AND SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES, OMISSIONS, AND/OR CONFLICTS PRIOR TO PROCEEDING WITH THE WORK.
7. THE CONTRACTOR SHALL NOT SCALE DRAWINGS. DIMENSIONS SHALL GOVERN. LARGE SCALE DRAWINGS SHALL GOVERN OVER SMALL SCALE DRAWINGS. NOTES AND DETAILS ON THE DRAWINGS SHALL APPLY TO ALL SIMILAR CONDITIONS WHETHER THEY ARE REPEATED OR NOT.

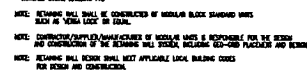




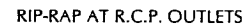
DECEMBER 16 / CHM / Standard alone / C-ATBts.dwg 1=1 8-2-00 10:29 am



TOTAL PROJECT AREA:	90,425 S.F.
EXISTING IMPERVIOUS AREA:	0 S.F.
PROPOSED IMPERVIOUS AREA:	23,600 S.F.
PROPOSED PERVIOUS AREA:	66,825 S.F.



MODULAR BLOCK RETAINING WALL



NOT TO SCALE

NOT TO SCALE

ALL THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION FOUR IN TOWNSHIP 100 NORTH, RANGE 13 WEST, AS PER CERTIFICATE OF SURVEY DRAWN FROM DEED ON FILE AT THE COUNTY RECORDERS OFFICE IN CLATSOP COUNTY, OREGON.

L.B. ELECTRIC
8536 70TH AVENUE NE
ROCHESTER, MN 55906
CONTACT: LARRY BROWN (507)282-5824

	BAT FENCE
	3 FT. SWALE LINE
	DRAINAGE ARROWS
	EASEMENT 1017
	PROPOSED EASEMENT CONTOURS 17
	DITCH CREEK - BALES (CITY STANDARD PLATE NO. 7-02)
	STABILIZED VEHICLE EUT
	EROSION CONTROL BLANKET, UNDOT SPEC. 3683, CATED
	TURF REINFORCEMENT MAT, UNDOT SPEC. 3688.282
	CLASS 3 RIP-RAP, 18" MIN. THICKNESS (INCLUDES FILTER BLANKET AS PER DETAIL)

1. EXISTING UTILITIES AND SERVICE LOCATIONS SHALL BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION.

2. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH STATE AND LOCAL STANDARD SPECIFICATIONS FOR CONSTRUCTION.

3. GOOD SUPERVISION, CONSISTENT MONITORING, AND THE MAINTENANCE OF ALL EROSION CONTROL MEASURES ARE CRITICAL TO MINIMIZE EROSION ON THE CONSTRUCTION SITE.

4. EROSION AND POLLUTION CONTROL MEASURES SHALL BE IN ACCORDANCE WITH STATE AND LOCAL REQUIREMENTS.

5. SEE REFERENCE SPEC FOR ALL CONSTRUCTION DETAILING ON SPECIFICATIONS. EROSION ON THIS SLOPE OF THE CONSTRUCTION IS RESPONSIBLE FOR REVEALING THE DETAILS PRIOR TO BID.

6. BMP-PAVED DRIVE AND OUTLET OF CULVERTS AS PER UNITDOT SPEC. 255.13 AND DETAIL PLATE 212. THE CONTRACTOR IS RESPONSIBLE FOR REVEALING THE DETAILS PRIOR TO BID.

7. ALL GRADED SLOPES CREATED OR EQUAL TO 3:1 SHALL BE REVEIGNED.

8. THE CONTRACTOR SHALL EROSION CONTROL MEASURES AS PER UNITDOT SPEC. 255.13 AND DETAIL PLATE 212.

9. THE CONTRACTOR IS TO PLACE A 8" TOPSOIL ON AND SEED ALL DISTURBED AREAS AND ALL AREAS THAT ARE INDICATED ON THE PLAN TO REVEAL EROSION CONTROL BLANKET AND REVEAL REVEALMENT MEASURES AS PER UNITDOT SPEC. 255.13 AND DETAIL PLATE 212.

10. THE CONTRACTOR SHALL PLACE A 8" TOPSOIL ON AND SEED ALL DISTURBED AREAS AND ALL AREAS THAT ARE INDICATED ON THE PLAN TO REVEAL EROSION CONTROL BLANKET AND REVEAL REVEALMENT MEASURES AS PER UNITDOT SPEC. 255.13 AND DETAIL PLATE 212.

11. THE CONTRACTOR AND OWNER ARE RESPONSIBLE FOR OBTAINING AN IMPDES STORMWATER MANAGEMENT PERMIT FROM THE LOCAL HEALTH DEPARTMENT.

12. THE OWNER ACKNOWLEDGES THAT SOME AREAS OF THE SITE ARE GRATED AT LESS THAN 2X SLOPES AND THAT LOCALIZED PONDING MAY OCCUR IN THESE AREAS. THE OWNER WILL MAINTAIN THESE AREAS AS THEY ARE.



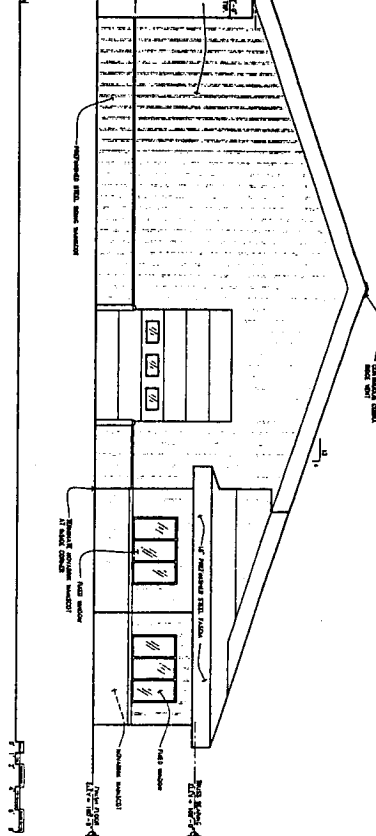
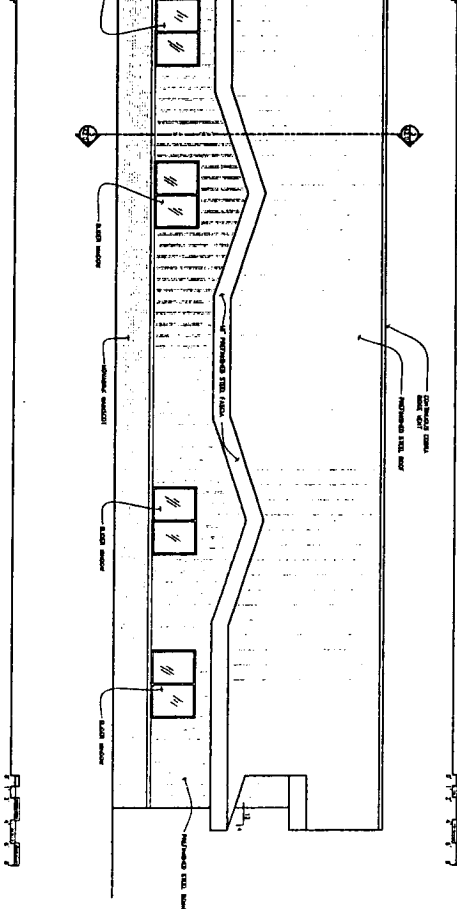
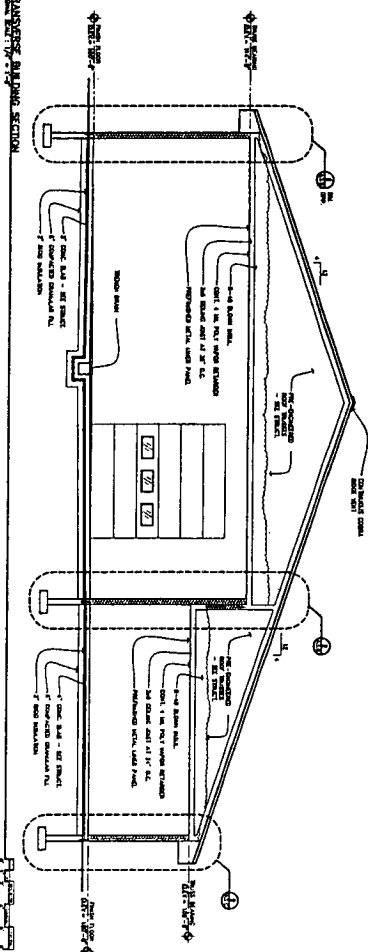
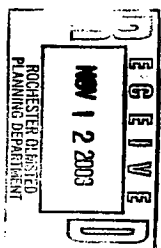
NOT TO SCALE



NOT TO SCALE



SCALE IN FEET





ROCHESTER

— Minnesota —

TO: Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

DEPARTMENT OF PUBLIC
WORKS
201 4th Street SE Room 108
Rochester, MN 55904-3740
507-287-7800
FAX – 507-281-6216

FROM: Mark E. Baker

DATE: 11/26/03

The Department of Public Works has reviewed the application for Restricted Development Plan #03-61 for the proposed L.B. Electric commercial development. The following are Public Works comments on this request:

1. Grading & Drainage Plan approval is required prior to development. A Storm Water Management fee will apply for participation in the City's Storm Water Management Plan (SWMP).
2. Surety in a form and amount determined by the City Engineer is required for restoration of the proposed Substantial Land Alteration being proposed for this project.
3. Prior to final CUP approval, the Owner shall execute a Development Agreement with the City to in part address the Owner's future obligations for the extension of watermain to the abutting easterly property owner, across the north line of this Property, as required by RPU Water.
4. Execution of a Pedestrian Facilities Agreement is required to address the Owner's obligations related to future pedestrian facilities along the public frontage road. Said Agreement can be incorporated as an Exhibit to the Development Agreement.
5. The applicant has worked with Public Works staff regarding access to this site, and Public Works supports the proposed driveway location shown on the CUP plan.
6. Dedication of a utility easement to the west line of this Property is required to accommodate the future connection of the abutting Property to municipal sewer & water. In addition, execution of a 20 ft utility easement will be required to the north line of the Property.
7. Execution of a City-Owner Contract is required prior to construction of the proposed watermain and hydrant needed for this Property.

Charges/fees applicable to the development of this property are as follows (rates in place through 7/31/04):

- ❖ Water Availability Charge @ \$1851.12 per developable acre
- ❖ Sewer Availability Charge (SAC) @ \$2598.24 per developable acre
- ❖ Watermain Connection Charge – NA since the Owner is now obligated to extend Watermain across the frontage of their Property per RPU Water requirements.
- ❖ Sanitary Sewer Connection Charge @ \$46.60 per foot x 80.00 feet (minimum connection frontage) = \$3,728.00
- ❖ Storm Water Management – TBD through the Grading Plan review and approval process.
- ❖ Southeast Transportation Improvement District (SE TID) - TBD



The hand to reach for...
DAVID A. KAPLER
Fire Chief

DATE: November 26, 2003

TO: Jennifer Garness, Planning (E-mail only)

FROM: R. Vance Swisher, Fire Protection Specialist

SUBJ: Restricted Development Conditional Use Permit #03-61 and Substantial Land Alteration, by Larry Brown and L. B. Electric. The applicant is proposing to develop approximately 3 acres of land with a Trade Shop Use.

With regard to the above noted project plan, the fire department has the following requirements:

1. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.
- c: Donn Richardson, RPU, Water Division (E-mail only)
Mark Baker, Rochester Public Works (E-mail only)
L. B. Electric
Yaggy Colby Associates (E-mail only)

Klement Randy

From: Donn Richardson [drichardson@rpu.org]
Sent: Wednesday, November 26, 2003 9:28 AM
To: klement.randy@co.olmsted.mn.us
Cc: mforret@yaggy.com; mroot@yaggy.com
Subject: Site Development Plan #03-62 for L.B. Electric building at 4210 Hwy 14 East

Randy,

I just received a modified plan from YCA that addresses all the issues I had on this development, so as far as RPU-Water is concerned this SDP is now approved. I will send you a copy of the approved plan.

Donn Richardson

Sr Engineering Tech.
Rochester Public Utilities - Water
(507) 280-1509